

Application No.: 10/587,185
Art Unit: 3664

Amendment under 37 CFR §1.116
Attorney Docket No.: 062835

REMARKS

Please reconsider the application in view of the foregoing amendments and the following remarks.

Status of Claims

Claims 1-3 are pending in the present application. Claims 1 and 2 are herein amended. No new matter has been entered.

Claim Objections

The Examiner objected to claim 1 because of the following informalities: the limitation “the indication state when the motor is not driven” in lines 9-10 has insufficient antecedent basis in the claim.

Applicants herein amend claim 1 in order to overcome the objection.

Claim Rejections - 35 USC § 112

On page 3, of the Final Office Action, the Examiner rejected claim 1 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicants herein amend claims 1 and 2 in order to overcome this rejection.

Claim Rejections - 35 U.S.C. §102

The Examiner rejected claims 1-3 under 35 U.S.C. 102(b) as being anticipated by **Shimogama et al.** (United States Patent 6,294,887).

Applicants herein amend claim 1 to further distinguish it from Shimogama.

Independent claim 1

In order to anticipate an invention under 35 U.S.C. §102, the prior art reference must not only disclose all elements of the claim within four corners of the document, but must also disclose those elements arranged as in the claim.

Claim 1, as amended, is drawn to at least ... *a brake releasing unit that releases the brake when the motor is not driven; said brake releasing unit connected to said brake through a release selection contact and a release contact*

For example, as illustrated in Fig. 1 or the present specification, a brake releasing unit (24) that releases the brake (14, 17, ...23) when the motor is not driven; said brake releasing unit (24) connected to said brake (14, 17, ...23) through a release selection contact (25) and a release contact (26, 28, ... 32).

Applicants believe that this feature “*said brake releasing unit connected to said brake through a release selection contact and a release contact*” added to the claim 1 is not disclosed by Shimogama. More specifically, Shimogama explicitly teaches that the power supplying operation to the electromagnetic brake coils 4₁ to 4_n of the motor brake and the indicator section 5 are both controlled through only the opening/closing operation of the motor-brake release switch contact 7a (col. 4, lines 20-24). Also, see Figs. 1-6 of Shimogama. **In other words**, Shimogama discloses only one contact

However, Shimogama does not disclose the brake releasing unit connected to the brake through a release selection contact and a release contact as in the subject matter of claim 1.

As noted above, in order to anticipate an invention under 35 U.S.C. §102, the prior art reference must not only disclose all elements of the claim within four corners of the document, but must also disclose those elements arranged as in the claim.

Since Reference does not disclose *a brake releasing unit that releases the brake when the motor is not driven; said brake releasing unit connected to said brake through a release selection contact and a release contact* in amended claim 1, Applicants submit that the rejection of claims 1-3 is improper and respectfully request that it be withdrawn.

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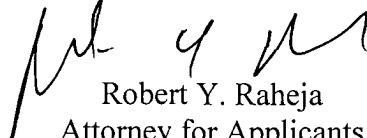
Conclusion

The Claims have been shown to be allowable over the prior art. Applicants believe that this paper is responsive to each and every ground of rejection cited in the Office Action dated September 18, 2009, and respectfully request favorable action in this application. The Examiner is invited to telephone the undersigned, applicants' attorney of record, to facilitate advancement of the present application.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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